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JOHN S. PRATT, ESQ
KILPATRICK STOCKTON, LLP
1100 PEACHTREE STREET
ATLANTA, GA 30309

EXAMINER	
DESHPANDE, KALYAN K	
ART UNIT	**PAPER NUMBER**
3625	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/055,162	WADA ET AL.	
	Examiner	Art Unit	
	Kalyan K. Deshpande	3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 April 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3 and 5-13* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3 and 5-13* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *2/4/08*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Introduction

1. The following is a final office action in response to the communications received on April 9, 2008. Claims 1, 3 and 5-14 are now pending in this application.

Response to Amendments

2. Applicants' amendments to claims 1, 7, and 13 are acknowledged.

Response to Arguments

3. Applicants' arguments filed on April 9, 2008 have been fully considered but are not found persuasive. Applicants' argue the claims as amended and as such the rejections of the claims as amended is discussed below.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1, 3 and 5-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schloss et al. (U.S. Patent No. 5692125).

As per claim 1, Schloss teaches:

A group work control system for controlling a work having a plurality of work steps through a network of terminals connected to each other by a communication line, said group work control system comprising:

A file generator which is connected to said network and configured to generate a schedule file in which the schedule of said work steps is written (see column 4 lines 11-67, column 5 lines 1-16, and figures 2 and 3; where an event can be planned. There are required fields (work steps) for the generation and scheduling of the event. Once all of the proper information is submitted, the system generates a schedule.), and has a function of registering the works of a project and a function of altering a template file which is provided corresponding to said works of the project and in which is written a standard work time (see column 5 lines 28-63 and figures 2 and 3; where a project can register with the scheduler to ensure that a date is available for that event. Events can be based off of templates and a user can modify (alter) a template to account for the necessaries of the project. A condition of a template can be a schedule time and performance time for selected dates. The schedule time and performance time are the same as the standard work time.);

A database which is configured to store said schedule file in order that said schedule file is accessible through said network (see column 5 lines 28-44 and figure 1; where an electronic calendar is a database that contains events and event groups. This enables events to he scheduled.); and

A group work cooperation section comprising:

A schedule displaying section for obtaining the schedule file and displaying said schedule in each of the terminals (see column 5 lines 28-44; where an electronic calendar is graphically displayed.);

A work flow displaying section for displaying work items to be conducted in the respective work steps based on said schedule file, judging whether or not previous works of the displayed work items have been finished, and displaying an alternative work flow if the previous works have not yet been finished (see column 5 lines 28-44, column 6 lines 23-31, column 6 lines 60-67, column 7 lines 1-9, column 9 lines 1-48, and column 11 lines 25-54; where the calendar displays work items that need to be completed. A previous item tool and a subsequent item tool describes whether previous items have been completed and what the subsequent work item is.);

A tool executing section for accessing a predetermined storage device and executing working tools required for the respective work items on the basis of a tool executing file in which is written tool information necessary when an application program is used to conduct the respective work items if the previous works have been finished, and displaying execution commands of working tools and information corresponding to the selected work items (see column 4 lines 11-67, column 5 lines 1-16, see column 7 lines 50-67, column 8 lines 1-7, column 9 lines 61-67, and

column 10 lines 1-32, column 10 lines 56-60, and figures 2, 3, 7B and 11; where the scheduling file has fields available for additional information. This additional information field can contain any information users would want, including information regarding tools necessary to complete work items. Templates are stored and accessed from a storage device and additional information can be added to the templates, such as additional information pointing to an external application. The working tool (such as chemotherapy, dosage) provides detailed information specific to the work item to be performed (such as blood count). Furthermore, the detailed step-wise performance of the work items are available to the user in a displayed format at the conclusion of the performance (even in a manner of email). Furthermore, all transaction are logged available to the user for retrieval and viewing.); and

A guide displaying section for displaying a guide to the respective works and application programs (see column 5 lines 28-44, column 6 lines 23-31, column 6 lines 60-67, column 7 lines 1-9, column 9 lines 1-48, and column 11 lines 25-54; where a user of the system can view the application tools for setting the adjustment rules and guide the scheduling events.).

Schloss does not explicitly teach a method "for developing semiconductor devices". However, Schloss discloses a method for scheduling events that can be

applied to a variety of industries, regardless of the intended field of use of the method. Schloss teaches a method for scheduling events in the healthcare industry, though the system has utility in other applications (see column 14 lines 43-46). The system being adapted "for developing semiconductor devices" is irrelevant since the intended use does not change the overall functionality of the system. The intended use must result in a manipulative difference as compared to the prior art. See *In re Casey*, 152 USPQ 235 (CCPA 1967) and *In re Otto*, 136 USPQ 458, 459 (CCPA 1963). Therefore, it would have been obvious, at the time of the invention, to one of ordinary skill in the art to use the Schloss system "for developing semiconductor devices" because Schloss system is designed to be used in a scheduling work items with a plurality of work steps regardless of the intended use.

Schloss further fails to teach the displaying of the execution commands by "click operation of the respective work steps". Examiner takes Official Notice that it is old and well-known in the art to display information via a click operation. It would have been obvious, at the time of the invention, to try or pursue the combination of the known options of displaying execution commands (taught by Schloss) and displaying the execution of commands via a click operation with a reasonable expectation of success and yield predictable results.

As per claim 2, Schloss teaches:

The group work control system as claimed in claim 1 further comprising:

Wherein the tool executing section executes an application program for use in conducting said work items according to a tool executing file which contains necessary tool information (see column 4 lines 11-67, column 5 lines 1-16, see column 7 lines 50-67, column 8 lines 1-7, and figures 2, 3, and 11; where the scheduling file has fields available for additional information. This additional information field can contain any information users would want, including information regarding tools necessary to complete work items).

As per claim 3, Schloss teaches:

The group work control system as claimed in claim 1, wherein said group work cooperation section is provided with a function of displaying guide information about working to be conducted by a user when conducting said respective work items corresponding to said work steps (see column 7 lines 50-67, column 8 lines 1-7, and figure 11; where scheduled events have blocks available for to display information regarding data, worked already performed, or work to be performed.).

As per claim 5, Schloss teaches:

The group work control system as claim in claim 1, further comprising:

A logic operation device which his configured to judge whether or not previous works have been finished in advance of said work items as provided (see column 4 lines 41-65, column 9 lines 1-40, and figures 2, 3, 7A, and 12; where the system accounts for dynamic conditions. Dynamic

conditions are conditions that need to be met prior to performance of the actual event. The system contains a function that has a Boolean result determining whether the condition is satisfied or not. If the condition is not satisfied, then the even can be adjusted. The adjustment can include modifying or canceling the event. Furthermore, with the scheduled event is displayed all of the previous work items and all of the subsequent work items for the event.); and

A setup device which is configured to prepare tools required for next work items when the previous works have been finished (see column 4 lines 41-65, column 9 lines 1-40, and figures 2, 7A, and 12; where the system has a prepare to perform time function. This function describes all of the steps necessary to have been completed prior to the work about to be completed.).

As per claim 6, Schloss teaches:

The group work control system as claimed in claim 1, further comprising:

A file updating device which is configured to update said schedule file when it is confirmed that a user has completed a work item (see column 13 lines 21-67, column 14 lines 1-42, and figures 12A and 12B; where the system checks the dynamic conditions and determines where the conditions have been satisfied or not. The system then updates based on the results of this determination.).

As per claim 7, Schloss teaches:

A group work control method for controlling a work having a plurality of work steps through a network of terminals connected to each other by a communication line, said group work control method comprising:

Generating a schedule file in which a schedule of said work steps is written (see column 4 lines 11-67, column 5 lines 1-16, and figures 2 and 3; where an event can be planned. There are required fields (work steps) for the generation and scheduling of the event. Once all of the proper information is submitted, the system generates a schedule.);

Registering a development project (see column 5 lines 28-63 and figures 2 and 3; where a project registers with a scheduler.);

Obtaining a template file which is provided corresponding to said project and in which is written a standard work time (see column 5 lines 28-63 and figures 2 and 3; where a project can register with the scheduler to ensure that a date is available for that event. Events can be based off of templates and a user can modify (alter) a template to account for the necessaries of the project. A condition of a template can be a schedule time and performance time for selected dates. The schedule time and performance time are the same as the standard work time.);

Altering said template file when required (see column 5 lines 28-63 and figures 2 and 3; where a user can modify/alter the template file.);

Storing said schedule file in a database accessible through said network (see column 5 lines 28-44 and figure 1; where an electronic calendar is a database that contains events and event groups. This enables events to he scheduled.); and

Displaying work items to be conducted in the respective work steps on the basis of said schedule file (see column 3 lines 20-39 and figure 1; where a display adapter serves as an output device for displaying the schedule file and all of the work items contained in each schedule).

Judging whether or not previous works of the displayed work items have been finished (see column 5 lines 28-44, column 6 lines 23-31, column 6 lines 60-67, column 7 lines 1-9, column 9 lines 1-48, and column 11 lines 25-54; where the calendar displays work items that need to be completed. A previous item tool and a subsequent item tool describes whether previous items have been completed and what the subsequent work item is.);

Displaying an alternative work flow if the previous works have not yet been finished (see column 5 lines 28-44, column 6 lines 23-31, column 6 lines 60-67, column 7 lines 1-9, column 9 lines 1-48, and column 11 lines 25-54; where alternatives if a returned condition is false are proposed. The work items can be re-executed or cancelled.);

Accessing a predetermined storage device and executing the working tools if the previous works have been finished (see column 4 lines 11-67, column 5 lines 1-16, see column 7 lines 50-67, column 8 lines 1-7, and figures 2, 3, and 11; where the scheduling file has fields available for additional information. This additional information field can contain any information users would want, including information regarding tools necessary to complete work items. Templates are stored and accessed from a storage device and additional information can be added to the templates, such as additional information pointing to an external application.); and

Displaying a guide to the respective works and application programs (see column 5 lines 28-44, column 6 lines 23-31, column 6 lines 60-67, column 7 lines 1-9, column 9 lines 1-48, and column 11 lines 25-54; where a user of the system can view the application tools for setting the adjustment rules and guide the scheduling events.).

Schloss does not explicitly teach a method "for developing semiconductor devices". However, Schloss discloses a method for scheduling events that can be applied to a variety of industries, regardless of the intended field of use of the method. Schloss teaches a method for scheduling events in the healthcare industry, though the system has utility in other applications (see column 14 lines 43-46). The system being adapted "for developing semiconductor devices" is irrelevant since the intended use

does not change the overall functionality of the system. The intended use must result in a manipulative difference as compared to the prior art. See *In re Casey*, 152 USPQ 235 (CCPA 1967) and *In re Otto*, 136 USPQ 458, 459 (CCPA 1963). Therefore, it would have been obvious, at the time of the invention, to one of ordinary skill in the art to use the Schloss system "for developing semiconductor devices" because Schloss system is designed to be used in a scheduling work items with a plurality of work steps regardless of the intended use.

Claim 7 further recites a limitation regarding "displaying execution commands" already addressed by the rejection of claim 1; therefore the same rejection applies to this claim.

As per claim 8, Schloss teaches:

> The group work control method as claimed in claim 7 further comprising:
>
> Storing a tool executing file which contains necessary tool information for an application program used to conduct said items (see column 9 lines 11-25 and figures 7A, 7B, 12A and 12B; where an event contains a function or program. This function or program contains information regarding the necessary external conditions and Boolean logic to determine if those conditions have been met.);
>
> Obtaining said tool executing file in response to selection by a user (see column 9 lines 11-25 and figures 7A, 7B, 12A and 12B; where the tool is obtained in the regular sequence of the event. The event is

selected by the user and the function or program is enabled and executed at the necessary time); and

Executing said application program by said tool executing file (see column 9 lines 11-25 and figures 7A, 7B, 12A and 12B; where the function or program is executed to determine whether the necessary external conditions have been satisfied and to determine which future work item for the event needs to be modified or altered).

As per claim 9, Schloss teaches:

The group work control method as claimed in claim 7 further comprising:

Displaying guide information about working to be conducted by a user when conducting said respective work items corresponding to said work steps (see column 7 lines 50-67, column 8 lines 1-7, and figure 11; where scheduled events have blocks available for to display information regarding data, worked already performed, or work to be performed.).

As per claim 10, Schloss teaches:

The group work control method as claimed in claim 7 further comprising:

When said schedule file is generated registering a development project;

Obtaining a template file which is provided corresponding to said project and in which contains a standard work time (see column 5 lines 28-63 and figures 2 and 3; Events can be based off of templates and a

user can modify (alter) a template to account for the necessaries of the project. A condition of a template can be a schedule time and performance time for selected dates. The schedule time and performance time are the same as the standard work time.); and

Altering said template file when required (see column 5 lines 28-63 and figures 2 and 3; Events can be based off of templates and a user can modify (alter) a template to account for the necessaries of the project. A condition of a template can be a schedule time and performance time for selected dates. The schedule time and performance time are the same as the standard work time.).

As per claim 11, Schloss teaches:

The group work control method as claimed in claim 7 further comprising:

Judging whether or not previous works have been finished in advance of said work items as displayed (see column 4 lines 41-65, column 9 lines 1-40, and figures 2, 3, 7A, and 12; where the system accounts for dynamic conditions. Dynamic conditions are conditions that need to be met prior to performance of the actual event. The system contains a function that has a Boolean result determining whether the condition is satisfied or not. If the condition is not satisfied, then the even can be adjusted. The adjustment can include modifying or canceling the event. Furthermore, with the scheduled event is displayed all of the

previous work items and all of the subsequent work items for the event.); and

Preparing execution of tools required for the next work items when the previous works have been finished (see column 4 lines 41-65, column 9 lines 1-40, and figures 2, 7A, and 12; where the system has a prepare to perform time function. This function describes all of the steps necessary to have been completed prior to the work about to be completed.).

As per claim 12, Schloss teaches:

The group work control method as claimed in claim 7 further comprising:

Updating said schedule file when it is confirmed that a user has completed a work item (see column 13 lines 21-67, column 14 lines 1-42, and figures 12A and 12B; where the system checks the dynamic conditions and determines where the conditions have been satisfied or not. The system then updates based on the results of this determination.).

As per claim 13, Schloss teaches:

A work control program product comprising a computer readable medium having computer program logic stored therein for controlling a work having a plurality of work steps through a network of terminals connected to each other by a communication line by the use of a template file in which contains a standard work time, wherein said computer program logic comprises:

amending a template file by registering a start-up date of said work steps in a calendar file (see column 5 lines 28-63 and figures 2 and 3; where a user can set the start-up date, finish date, and specific times for an event based off of a template.);

generating a schedule file containing a day's program of said work steps according to the template file as amended (see column 5 lines 28-63 and figures 2 and 3; where an event can be created based on off of a template file. The event has blocks available for inserting information regarding the works steps necessary for the event. A user can input the start and stop dates of the event and can figure these values to include a single day such that the schedule contains the work items for a single day.);

registering a development project (see column 5 lines 28-63 and figures 2 and 3; where a project registers with a scheduler.);

obtaining a template file which is provided corresponding to said project and in which is written a standard work time (see column 5 lines 28-63 and figures 2 and 3; where a project can register with the scheduler to ensure that a date is available for that event. Events can be based off of templates and a user can modify (alter) a template to account for the necessaries of the project. A condition of a template can be a schedule

time and performance time for selected dates. The schedule time and performance time are the same as the standard work time.);

altering said template file when required (see column 5 lines 28-63 and figures 2 and 3; where a user can modify/alter the template file.);

storing said schedule file in a database accessible through said network (see column 5 lines 28-44 and figure 1; where an electronic calendar is a database that contains events and event groups. This enables events to he scheduled.).

Displaying work items to be conducted in the respective work steps based on said schedule file (see column 3 lines 20-39 and figure 1; where a display adapter serves as an output device for displaying the schedule file and all of the work items contained in each schedule).

Judging whether or not previous works of the displayed work items have been finished (see column 5 lines 28-44, column 6 lines 23-31, column 6 lines 60-67, column 7 lines 1-9, column 9 lines 1-48, and column 11 lines 25-54; where the calendar displays work items that need to be completed. A previous item tool and a subsequent item tool describes whether previous items have been completed and what the subsequent work item is.);

Displaying an alternative work flow if the previous works have not yet been finished (see column 5 lines 28-44, column 6 lines 23-31, column

6 lines 60-67, column 7 lines 1-9, column 9 lines 1-48, and column 11 lines 25-54; where alternatives if a returned condition is false are proposed. The work items can be re-executed or cancelled.);

Accessing a predetermined storage device and executing working tools required for the work items if the previous works have been finished (see column 4 lines 11-67, column 5 lines 1-16, see column 7 lines 50-67, column 8 lines 1-7, and figures 2, 3, and 11; where the scheduling file has fields available for additional information. This additional information field can contain any information users would want, including information regarding tools necessary to complete work items. Templates are stored and accessed from a storage device and additional information can be added to the templates, such as additional information pointing to an external application.); and

Displaying a guide to the respective works and application programs (see column 5 lines 28-44, column 6 lines 23-31, column 6 lines 60-67, column 7 lines 1-9, column 9 lines 1-48, and column 11 lines 25-54; where a user of the system can view the application tools for setting the adjustment rules and guide the scheduling events.).

Schloss does not explicitly teach a method "for developing semiconductor devices". However, Schloss discloses a method for scheduling events that can be applied to a variety of industries, regardless of the intended field of use of the method.

Schloss teaches a method for scheduling events in the healthcare industry, though the system has utility in other applications (see column 14 lines 43-46). The system being adapted "for developing semiconductor devices" is irrelevant since the intended use does not change the overall functionality of the system. The intended use must result in a manipulative difference as compared to the prior art. See *In re Casey*, 152 USPQ 235 (CCPA 1967) and *In re Otto*, 136 USPQ 458, 459 (CCPA 1963). Therefore, it would have been obvious, at the time of the invention, to one of ordinary skill in the art to use the Schloss system "for developing semiconductor devices" because Schloss system is designed to be used in a scheduling work items with a plurality of work steps regardless of the intended use.

Claim 13 further recites a limitation regarding "displaying execution commands" already addressed by the rejection of claim 1; therefore the same rejection applies to this claim.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kalyan K. Deshpande whose telephone number is (571)272-5880. The examiner can normally be reached on M-F 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Smith can be reached on (571) 272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Jeffrey A. Smith/

Supervisory Patent Examiner, Art Unit 3625

/KKD/